

REMARKS

Status of the Application

Claims 1-55 are presently pending with claims 1-5, 9, 13-24, 28-36, 38, and 40-55 being under consideration.

Claims 18-24, 28-32 and 40-55 stand allowed.

Claim 15 stands rejected under 35 U.S.C. § 102(b) as being anticipated over *Yamazaki et al.* (USPN 6,004,831). Claims 1-5, 13-14 and 16-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamazaki et al.* in view of *Umezaki et al.* (USPN 4,288,283). Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Yamazaki et al.* in view of *Umezaki et al.*, and further in view of *Suguro* (US Pub. No. 2001/0033023). Applicants respectfully traverse the rejections for at least the following reasons.

With respect to independent claim 1, Applicants respectfully assert that the applied art, whether taken singly or combined, do not teach or suggest a method including etching a Ti layer, having Ti metal portions and TiO_x portions, to remove remaining Ti metal portions of the Ti layer to form a TiO_x pattern. First, the Office Action asserts that “[Applicants’] argument is unpersuasive because it does not commensurate with the scope of claim 1 because claim 1 does not require that ‘the non-oxide metal portions are etched.’” Applicants respectfully disagree. Specifically, claim 1 recites etching the Ti layer to remove remaining Ti metal portions. Here, it should be recognized that the Ti metal portions being removed are non-oxides because Ti metal is not an oxide. Second, the Office Action alleges that the metal oxide 109 reads on the “TiO_x layer” as claimed and that the metal portions 106 reads on the “remaining metal portion” as claimed. Applicants respectfully disagree. Applicants respectfully submit that the method of

Yamazaki et al. uses the metal oxide 109 to surround the alleged remaining metal portions 106, thereby forming an insulating coating on the surface of the alleged remaining metal portion 106. (See abstract and column 7, lines 55-67, of *Yamazaki et al.*) Thus, Applicants respectfully submit that the alleged remaining metal portions 106 of *Yamazaki et al.* are not removed as recited by independent claim 1. Accordingly, the alleged remaining metal portions 106 cannot be “remaining Ti metal portions” as claimed.

Applicants respectfully submit that the Office Action does not rely on the other applied references (*Umezaki et al.* and *Suguro*) to disclose this feature. Moreover, Applicants respectfully submit that *Umezaki et al.* and *Suguro* cannot remedy this deficiency. Thus, Applicants respectfully submit that independent claim 1, as amended or as originally presented, is allowable and that the rejection of claim 1 should be withdrawn.

Applicants respectfully submit that independent claims 15 and 33 are allowable for reasons similar to those presented above with respect to independent claim 1. Further, Applicants respectfully submit that dependent claims 2-5, 9, 13-14, 16-17, 34-36, and 38 are allowable at least because of their respective dependencies from independent claims 1, 15 and 33, and the reasons set forth above.

Rejoinder

Applicants respectfully request rejoinder of withdrawn dependent claims 6-8, 10-12, and 25-27 upon allowance of the respective independent claims from which they depend.

Conclusion

Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted

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By:



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